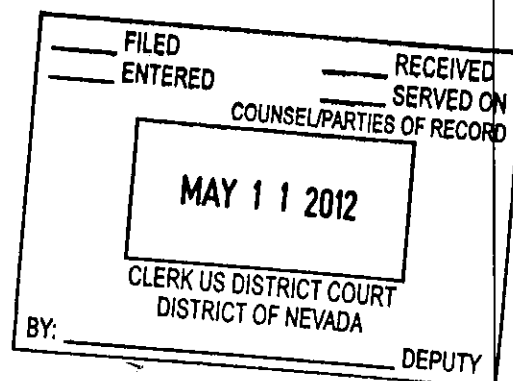


David C. O'Mara, Esq.
Nevada State Bar No. 8599
The O'Mara Law Firm, P.C.
311 E. Liberty Street
Reno, Nevada 89051
Telephone: (775) 323-1321
Facsimile: (775) 323-4082

Lionel Z. Glancy
Michael Goldberg
Robert V. Prongay
GLANCY BINKOW & GOLDBERG LLP
1801 Avenue of the Stars, Suite 311
Los Angeles, California 90067
Telephone: (310) 201-9150
Facsimile: (310) 201-9160

Attorneys for Plaintiff Howard L. Howell



**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ELLISA PANCOE, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

JB1, INC., f/k/a 310 HOLDINGS, INC.,
JOHN BORDYNUIK, and RONALD
BALDWIN, JR.,

Defendants.

Case No. 3:11-CV-545-RCJ-(RAM)

CLASS ACTION

**ORDER GRANTING
MOTION OF HOWARD L. HOWELL
FOR APPOINTMENT AS LEAD
PLAINTIFF AND APPROVAL OF
LEAD COUNSEL**

[PROPOSED] ORDER

Having considered the motion of Howard L. Howell for appointment as lead plaintiff and approval of lead counsel, the memorandum of law in support thereof, the declaration of Michael Goldberg in support of that motion and good cause appearing therefor,

IT IS HEREBY ORDERED:

1) The Motion is granted.

2) Movant Howard L. Howell is appointed to serve as lead plaintiff in the above-captioned action (the "Action"), pursuant to 15 U.S.C. §78u-4(a)(3)(B). The law firm Glancy Binkow & Goldberg LLP is hereby approved as lead counsel for the Class pursuant to 15 U.S.C. §78u-4(a)(3)(B)(v).

3) This Order (the "Order") shall apply to the above-captioned Action and to each case that relates to the same subject matter that is subsequently filed in this Court or is transferred to this Court and consolidated with the Action.

4) An original of this Order shall be filed by the Clerk in the Master File.

5) The Clerk shall mail a copy of this Order to counsel of record in the Action.

6) Each new case that arises out of the subject matter of the Action which is filed in this Court or transferred to this Court, shall be consolidated with the Action and this Order shall apply thereto, unless a party objects to consolidation, as provided for herein, or any provision of this Order, within ten (10) days after the date upon which a copy of this Order is served on counsel for such party, by filing an application for relief and this Court deems it appropriate to grant such application. Nothing in the foregoing shall be construed as a waiver of Defendants' right to object to consolidation of any subsequently filed or transferred related action.

1 7) The Court requests the assistance of counsel in calling attention to the Clerk of
2 this Court the filing or transfer of any case that might be properly consolidated as part of the
3 Action.

4 8) When a case that arises out of the same subject matter as the Action is hereinafter
5 filed in this Court or transferred from another Court, the Clerk of this Court shall:

- 6 a) file a copy of this Order in the separate file for such action;
7 b) mail a copy of this Order to the attorneys for the plaintiff(s) in the newly
8 filed or transferred case and to any new defendant(s) in the newly filed case; and
9 c) make the appropriate entry in the Master Docket for the Action.
10

11 9) Lead counsel shall provide general supervision of the activities of plaintiff's
12 counsel and shall have the following responsibilities and duties to perform or delegate as
13 appropriate:
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- 15 a) to brief and argue motions;
16 b) to initiate and conduct discovery, including, without limitation,
17 coordination of discovery with defendants' counsel, preparation of written interrogatories,
18 requests for admission and requests for production of documents;
19 c) to direct and coordinate the examination of witnesses in depositions;
20 d) to act as spokesperson at pretrial conferences;
21 e) to call and chair meetings of plaintiffs' counsel as appropriate or necessary
22 from time to time;
23 f) to initiate and conduct any settlement negotiations with counsel for
24 defendants;
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1 g) to provide general coordination of the activities of plaintiffs' counsel and
2 to delegate work responsibilities to selected counsel as may be required in such a manner as to
3 lead to the orderly and efficient prosecution of this litigation and to avoid duplication or
4 unproductive effort;

5 h) to consult and employ experts;

6 i) to receive and review periodic time reports of all attorneys on behalf of
7 plaintiffs, to determine if the time is being spent appropriately and for the benefit of plaintiffs
8 and to determine and distribute plaintiffs' attorneys' fees; and
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10 j) to perform such other duties as may be expressly authorized by further
11 order of this Court.
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14 Dated: This 11th day of May, 2012.

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16 HONORABLE ROBERT C. JONES
17 UNITED STATES DISTRICT JUDGE
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